

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case No. 24-CR-20255-WPD

UNITED STATES OF AMERICA

v.

ADAM BROSIOUS,

Defendant.

AGREED FACTUAL BASIS FOR GUILTY PLEA

Defendant Adam Brosius (“**BROSIOUS**”) hereby acknowledges and agrees that, if this case were to go to trial, the United States would establish and prove the following facts beyond a reasonable doubt:

From in or around at least as early as September 2020, and continuing through in or around August 2021, in Broward County, in the Southern District of Florida, and elsewhere, **BROSIOUS** knowingly and willfully conspired and agreed with his co-conspirators, including Charles Boyd, Patrick Boyd, Dhruv Ralhan, and others, to commit wire fraud, in violation of Title 18, United States Code, Section 1349, that is, to knowingly and with the intent to defraud, devise and intend to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing that the pretenses, representations, and promises were false and fraudulent when made, and, for the purpose of executing the scheme and artifice, did knowingly transmit and cause to be transmitted, by means of wire communication in interstate commerce, certain writings, signs, signals, pictures, and sounds, in violation of Title 18, United States Code, Section 1343.

Initials: AB

Safe Chain Solutions LLC (“Safe Chain”) was a limited liability company organized under the laws of the State of Delaware with offices in Cambridge, Maryland, and Miami, Florida. Safe Chain was a wholesale distributor that purported to sell legitimate prescription drugs, including expensive human immunodeficiency virus (“HIV”) drugs, to pharmacies located throughout the United States.

Worldwide Pharma Sales Group, Inc. (“Worldwide Pharma Sales”), also known as WW Pharma Sales, was a corporation organized under the laws of the State of Delaware with a business address of 455 NE 5th Ave., Suite D434, Delray Beach, Florida. Worldwide Pharma Sales helped Safe Chain locate both suppliers of HIV drugs and pharmacy customers to purchase HIV drugs.

**BROSIUS** was a part owner of Safe Chain and the owner of Worldwide Pharma Sales. **BROSIUS** is and was a resident of Delray Beach, Florida (Palm Beach County) and conducted Worldwide Pharma Sales’ business from his home.

Boulevard 9229, LLC (“Boulevard”), Gentek LLC (“Gentek”), Synergy Group Wholesalers, LLC (“Synergy”), Rapid’s Tex Whole Sales Corp. (“Rapid’s Tex”), and Omom Pharmaceuticals, Inc. (“Omom Pharmaceuticals”) (collectively the “Black-Market Suppliers”) were companies organized under the laws of the States of New York, Connecticut, New Jersey, Texas, and California that purported to sell legitimate prescription drugs, including expensive HIV medication, to wholesale distributors of pharmaceutical products.

The term “prescription drug diversion” referred to the various ways in which prescription drugs were removed from regulated distribution channels and subsequently reintroduced into the wholesale marketplace. One common method of prescription drug diversion involved acquiring the drugs illegally from individual patients for who the prescription drugs had been prescribed and dispensed but intentionally not consumed. These diverted drugs were then reintroduced into the

wholesale marketplace with false documentation concealing their true source and eventually resold to individual customers by pharmacies, which also typically billed the drugs to federal and commercial health insurance programs.<sup>1</sup> Once diverted from the regulated distribution channel, it became difficult for regulators and consumers to know whether a prescription drug was altered, stored in improper conditions, had its potency adversely affected, or was otherwise harmful.

Federal law generally required that prescription drugs sold in the United States by or to wholesale distributors be accompanied by product tracing information, which consisted of transaction information, transaction history, and a transaction statement. The product tracing information identified, among other things, the product, the quantity, the lot number, strength and dosage, the date of each sale, and the parties to each transaction. Such product tracing information was commonly referred to in the industry as “T3s” or “pedigrees.”

**BROSIUS**, Patrick Boyd, and Charles Boyd carried out a scheme to defraud pharmacy customers, their patients, and health care benefit programs by knowingly distributing diverted prescription drugs with falsified T3s/pedigrees designed to conceal the true origin of the drugs. **BROSIUS** located the five Black-Market Suppliers from which Safe Chain purchased the diverted prescription drugs. **BROSIUS**, Patrick Boyd, and Charles Boyd purchased these diverted prescription drugs at steeply discounted prices, which they were aware was far below the pricing available for such drugs had they been acquired through legitimate and regulated channels of distribution and from distributors authorized by the drugs’ manufacturers to distribute such drugs. **BROSIUS**, Patrick Boyd, and Charles Boyd purchased diverted prescription drugs that were accompanied by falsified information in the T3s/pedigrees, and were made aware that the

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<sup>1</sup> These federal and commercial health insurance programs are “health care benefit programs,” as defined by Title 18, United States Code, Section 24(b).

T3s/pedigrees contained falsified information. For example, on or about September 29, 2020, Patrick Boyd forwarded **BROSIUS** an email from a Safe Chain compliance employee discussing her inability to verify T3s/pedigrees provided by Boulevard. In the email, Patrick Boyd wrote to **BROSIUS** as follows: “I’m on this Acumatica call but we need to get with boulevard (sic) soon. We’ve had two bad returns with opened bottles and broken pills last two days and the below sounds pretty bad[.]” The following day, on or about September 30, 2020, a Safe Chain compliance employee sent an email to Patrick Boyd and Charles Boyd confirming that a Boulevard T3/pedigree was falsified. Nevertheless, **BROSIUS**, Patrick Boyd, and Charles Boyd continued purchasing diverted prescription drugs from Boulevard and reselling those drugs to customers along with falsified T3s/pedigrees. **BROSIUS**, Patrick Boyd, and Charles Boyd were similarly made aware that the T3s/pedigrees provided by other Black-Market Suppliers contained falsified information, but continued purchasing diverted prescription drugs from those suppliers and reselling those drugs to customers along with falsified T3s/pedigrees. **BROSIUS**, Patrick Boyd, and Charles Boyd used the falsified information in the T3s/pedigrees to conceal the true origin of the diverted prescription drugs from Safe Chain’s customers and made it appear as though these drugs had been acquired legitimately through the regulated supply chain. Safe Chain’s pharmacy customers dispensed these diverted prescription drugs to unsuspecting patients and billed health care benefit programs for the drugs.

Also around this time, on or about October 3, 2020, a pharmacy customer emailed **BROSIUS**, Patrick Boyd, and Charles Boyd to complain about prescription drugs it purchased from them. The customer wrote that the drugs were in “suspicious packaging” and were “not usable for us” because they did not “meet[] safety standards and may present a risk for our patients.” In several instances, **BROSIUS**, Patrick Boyd, and Charles Boyd sold and distributed

bottles purporting to contain a specific prescription HIV drug but which actually contained a different drug entirely. For example, in or around August 2020, a pharmacy customer sent an email to **BROSIUS**, Patrick Boyd, and Charles Boyd that a bottle it purchased from Safe Chain and dispensed to a patient contained an anti-psychotic drug instead of the HIV drug listed on the bottle's label.

Between in or around September 2020 and in or around July 2021, **BROSIUS**, along with Charles Boyd and Patrick Boyd, through Safe Chain, paid a total of \$60,647,004 to the Black-Market Suppliers for the diverted prescription drugs.

Initials: AB

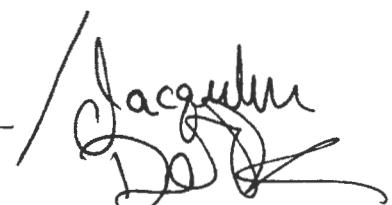
The preceding statement is a summary, made for the purpose of providing the Court with a factual basis for my guilty plea to the charges against me. It does not include all of the facts known to me concerning the criminal activity in which I and others were engaged. I make this statement knowingly and voluntarily because I am in fact guilty of the crimes charged.

GLENN S. LEON  
CHIEF, FRAUD SECTION

MARKENZY LAPOINTE  
UNITED STATES ATTORNEY

Date: 8/28/24

By: AK



ALEXANDER THOR POGOZELSKI  
JACQUELINE ZEE DEROVANESIAN  
TRIAL ATTORNEYS  
CRIMINAL DIVISION, FRAUD SECTION

Date: 8/27/24

By: AB

ADAM BROSIIUS  
DEFENDANT

Date: 8/27/24

By: Stephen T. Millan

STEPHEN T. MILLAN, ESQ.  
COUNSEL FOR DEFENDANT

Initials: AB